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H. STUART CUNNINGHAM  
o'clock  
CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BALLY MANUFACTURING CORPORATION,

Plaintiff,

v.

D. GOTTLIEB & CO.,  
WILLIAMS ELECTRONICS, INC. and  
ROCKWELL INTERNATIONAL CORPORATION,

Defendants.

and

BALLY MANUFACTURING CORPORATION,

Plaintiff,

v.

GAME PLAN INCORPORATED and  
ASTRO GAMES, INC.,

Defendants.

Civil Action No. 78 C 2246 ✓

Civil Action No. 79 C 713 ✓

PLAINTIFF'S MOTION TO DISMISS DEFENDANT  
ASTRO GAMES, INC. WITHOUT PREJUDICE

Plaintiff hereby moves this Honorable Court to dismiss without prejudice as to Astro Games, Inc. the complaint filed on February 23, 1979. No answer or other pleading has been filed by Astro Games, Inc. in response to the complaint.

It is the understanding of plaintiff that Astro Games, Inc. is insolvent and is involved in some proceedings

under the bankruptcy act. In view of that and the fact that no responsive pleading has been filed, plaintiff moves this Court for an order dismissing Astro Games, Inc. without prejudice.

By

*Jerold B. Schnayer*  
Donald L. Welsh  
A. Sidney Katz  
Jerold B. Schnayer  
Fitch, Even & Tabin  
135 South LaSalle Street  
Chicago, Illinois 60603  
(312) 372-7842

Attorneys for Plaintiff

October 16, 1979

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

BALLY MANUFACTURING CORPORATION, )

Plaintiff, )

v. )

D. GOTTLIEB & CO., )

WILLIAMS ELECTRONICS, INC. )

and )

ROCKWELL INTERNATIONAL CORPORATION, )

Defendants. )

CIVIL ACTION NO. 78 C 2246

Judge John F. Grady

and

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Plaintiff, )

v. )

GAME PLAN, INCORPORATED and )

ASTRO GAMES, INC., )

Defendants. )

CIVIL ACTION NO. 79 C 713

NOTICE OF MOTION

TO: John F. Lynch, Esq.  
Arnold, White & Durkee  
2100 Transco Tower  
Houston, Texas 77056

Melvin M. Goldenberg, Esq.  
McDougall, Herish & Scott  
135 South LaSalle Street  
Suite 1540  
Chicago, Illinois 60603

Charles S. Oslakovic, Esq.  
Leydig, Voit, Osann, Mayer  
Holt, Ltd.  
One IBM Plaza  
Room 4600  
Chicago, Illinois 60611

Cary S. Fleischer, Esq.  
Mass, Miller and Josephson  
221 North LaSalle Street  
Chicago, Illinois 60601

Gerson E. Meyers, Esq.  
Dressler, Goldsmith, Clement,  
Gordon & Shore, Ltd.  
1800 Prudential Plaza  
Chicago, Illinois 60601

PLEASE TAKE NOTICE that the attorneys of record for plaintiff, Bally Manufacturing Corporation shall appear before the Honorable John F. Grady, U.S. District Judge, in the room usually occupied by him or whoever shall be sitting in his stead, on October 17, 1979, 2:00 p.m. or as soon thereafter as counsel can be heard, and will present the attached Plaintiff's Motion to Dismiss Defendant Astro Games, Inc. Without Prejudice.

*Fred B. Schreyer*  
One of the Attorneys for Plaintiff